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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	2:12-CV-1025-RCJ-(PAL)
)	
\$40,162.00 IN UNITED STATES CURRENCY,)	
)	
Defendant.)	

**UNITED STATES OF AMERICA'S UNOPPOSED MOTION TO STRIKE PART OF THE
NOTICE OF ELECTRONIC FILING IN ECF NO. 7, REQUIRING DISCOVERY
PLAN/SCHEDULING ORDER BY 10/19/2012**

The United States of America ("United States"), by and through Daniel G. Bogden, United States Attorney for the District of Nevada, and Michael A. Humphreys, Assistant United States Attorney, respectfully moves this Honorable Court for an Order striking part of the Notice of Electronic Filing in ECF No. 7, requiring "Discovery Plan/Scheduling Order due by 10/19/2012". First Answer to Complaint (ECF No. 1) in Forfeiture, ECF No. 7.

The basis is as follows. Fed. R. Civ. P. 16(b) authorizes exemption of Discovery Plan/Scheduling Order under local rules. A civil forfeiture in rem action is exempt from a Discovery Plan/Scheduling Order under LR 16-1.

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1 On October 12, 2012, the United States contacted Gabriel Grasso, attorney for Justin
2 Swart. He agrees with and joins in this Motion. This Motion is not submitted solely for the
3 purpose of delay or for any other improper purpose.

4 DATED this 12th day of October, 2012.

5 DANIEL G. BOGDEN
6 United States Attorney

7 /s/Michael A. Humphreys
8 MICHAEL A. HUMPHREYS
9 Assistant United States Attorney

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11 IT IS SO ORDERED:

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14 UNITED STATES OCI KUTCVG JUDGE

15 DATED: October 15, 2012
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